

SECOND REGULAR SESSION

HOUSE BILL NO. 1213

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES McKENNA, SELBY, HOLLINGSWORTH, JOHNSON (90),
WAGNER AND ABLE (Co-sponsors).

Pre-filed December 12, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3115L.01I

AN ACT

To repeal section 67.398, RSMo, and to enact in lieu thereof one new section relating to abatement and removal of a nuisance.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 67.398, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.398, to read as follows:

67.398. 1. The governing body of any city, town, or village, or any county having a charter form of government, **or any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants**, or any county of the first classification that contains part of a city with a population of at least three hundred thousand inhabitants, may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of debris of any kind including, but not limited to, weed cuttings, cut and fallen trees and shrubs, overgrown vegetation and noxious weeds which are seven inches or more in height, rubbish and trash, lumber not piled or stacked twelve inches off the ground, rocks or bricks, tin, steel, parts of derelict cars or trucks, broken furniture, any flammable material which may endanger public safety or any material which is unhealthy or unsafe and declared to be a public nuisance.

2. Any ordinance authorized by this section may provide that if the owner fails to begin removing the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, or upon failure to pursue the removal of such nuisance without unnecessary delay, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of

19 such removal shall be certified to the city clerk or officer in charge of finance who shall cause
20 the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at
21 the collecting official's option, for the property and the certified cost shall be collected by the city
22 collector or other official collecting taxes in the same manner and procedure for collecting real
23 estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the
24 collection of the delinquent bill shall be governed by the laws governing delinquent and back
25 taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the
26 owner and shall also be a lien on the property until paid.